

**SB 890 B STAFF MEASURE SUMMARY**

**Carrier:** Rep. Williamson

**House Committee On Judiciary**

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**Action Date:** 05/30/17

**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

**Vote:** 10-0-1-0

**Yeas:** 10 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Sprenger, Vial, Williamson

**Exc:** 1 - Stark

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Josh Nasbe, Counsel

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**WHAT THE MEASURE DOES:**

Retains certain protections applicable to information and records provided by agent of city to elected city auditor, when provided for audit or investigation. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Functions of auditor and need to access records and information
- Elected city auditors

**EFFECT OF AMENDMENT:**

Limits protections to material subject to attorney-client privilege or constituting attorney work product. Clarifies that applies to protections held by city.

**BACKGROUND:**

Senate Bill 890-B applies to a city's disclosure of protected information to an elected city auditor. Since 1868, the City of Portland has elected an Auditor, whose mission is to promote open and accountable government by providing independent and impartial reviews, access to public information and other services for city government and the public. Among other duties, the Portland City Charter charges the Auditor with conducting financial and performance audits, supervising elections, maintaining all official records and providing official certifications required by the Portland City Charter. To carry out this authority, the Charter provides that the Auditor "shall have access to all information and records required to conduct an audit or otherwise perform audit duties." Section 2-505 (e). Senate Bill 890-B provides that disclosure of records and information to an elected city auditor for auditing purposes does not waive protections afforded to the material by the attorney-client privilege or the attorney work product doctrine.